

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICHAEL L. FERGUSON, MYRL C.  
JEFFCOAT and DEBORAH SMITH,  
individually and as representatives of a class  
of similarly situated plan participants and  
beneficiaries, and on behalf of the DST  
SYSTEMS, INC. 401(K) PROFIT SHARING  
PLAN,

Plaintiffs,

v.

RUANE CUNNIFF & GOLDFARB INC.,  
DST SYSTEMS, INC., THE ADVISORY  
COMMITTEE OF THE DST SYSTEMS,  
INC. 401(K) PROFIT SHARING PLAN and  
THE COMPENSATION COMMITTEE OF  
THE BOARD OF DIRECTORS OF DST  
SYSTEMS, INC.,

Defendants.

Case No. 1:17-cv-06685-ALC-BCM

MICHAEL L. FERGUSON, MYRL C.  
JEFFCOAT and DEBORAH SMITH,  
individually and as representatives of a class  
of similarly situated plan participants and  
beneficiaries, and on behalf of the DST  
SYSTEMS, INC. 401(K) PROFIT SHARING  
PLAN,

Plaintiffs,

v.

ROBERT D. GOLDFARB,

Defendant.

Case No. 1:20-cv-07092-ALC-BCM

**PLAINTIFFS' UNOPPOSED MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT AND  
RELATED RELIEF**

Plaintiffs, Michael L. Ferguson, Myrl C. Jeffcoat and Deborah Smith (“Plaintiffs”), hereby respectfully move the Court for entry of an order granting preliminary approval of the proposed Settlement of these actions and related relief. The Settlement Agreement dated July 14, 2023 and Exhibits thereto (including class notices; proposed preliminary and final approval orders; a former participant rollover form; the Joint Stipulation of Settlement and Release of Claims to be filed in the action captioned *Su v. Ruane, Cunniff & Goldfarb Inc., et al.*, No. 19-cv-09308-ALC-BCM, brought by the Secretary of Labor; and a list of individuals excluded from the Settlement based on their status as fiduciaries of the Plan) are collectively filed herewith as Exhibit 1 to the Declaration of Laurie Rubinow.

For the reasons explained in the accompanying Memorandum of Law and all grounds apparent on the basis of the proposed Settlement and Exhibits, accompanying papers, and the record in these actions, Plaintiffs respectfully submit that the proposed Settlement warrants preliminary approval.

Dated: July 14, 2023

Respectfully submitted,

/s/ Laurie Rubinow

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*Attorneys for Plaintiffs, the Plan,  
and the Settlement Class*